

REMARKS

The Non-Final Office Action, mailed November 15, 2007, considered claims 1-60. Claims 1-3, 5-6, 9, 14-15, 20, and 52 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Lentz* (5,522,881), hereinafter *Lentz*. Claims 7-8, 10-13, 16-19 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lentz*. Applicant respectfully traverses.

Lentz was cited as disclosing a "graft conduit 12" having "1st and 2nd anchor members/stents 28 . . . , 1st and 2nd coupling members/cuffs 20 and 22" (Office Action, Page 2). *Lentz*, however, neither teaches nor suggests "first and second coupling elements being configured to contract in length to move said first and second ends of said graft conduit toward an interior lumen of the vessel or duct following deployment of said anchor members" as recited in independent claims 1 and 52. Further, *Lentz* neither teaches nor suggests "said first and second coupling elements being configured to contract in length to move said first and second ends of said graft conduit into mating relationship with an interior lumen of the vessel or duct" as recited in new independent claim 79. There is no mention or suggestion that the cuffs of *Lentz* are able to contract in length to move said graft conduit either toward or into mating relationship with an interior lumen of the vessel or duct following deployment of the anchor members and following removal of the tubular member.

In view of the foregoing, Applicant respectfully submits that the inventions claimed in pending claims 1-3, 5-21, and 52 are neither taught nor suggested by *Lentz*. Similarly, new claims 61-98 for similar reasons are neither taught nor suggested by *Lentz*. Applicant respectfully requests withdrawal of rejection under 35 U.S.C. 102 or 103.¹

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 14th day of April, 2008.

Respectfully submitted,

/Fraser D. Roy, Reg.# 45666/

FRASER D. ROY
Registration No. 45,666
Attorney for Applicant
Customer No. 022913

FDR: kdj
KDJ0000001754V001